

THURSDAY, FEBRUARY 12, 1987

SEVENTH LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Harold Kelly, Hendersonville Bible Church, Hendersonville, Tennessee..

Representative Long led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 93

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odorn, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

The Speaker announced that Representative Davis (Knox) was excused because of business.

The Speaker announced that Representative Kisber was excused because of business.

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The Speaker announced that Representative Webb was excused because of business.

The Speaker announced that Representative Jackson was excused because of illness.

### **ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 1, 2 and 3; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

### **SIGNED**

The Speaker announced that he had signed the following: House Resolutions Nos. 1, 2 and 3.

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution No. 67--Relative to honoring David Paul Burris; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **CONSENT CALENDAR**

Senate Joint Resolution No. 32--Commemorating Lincoln County's Homecoming '86 festivities.

Senate Joint Resolution No. 33--Honoring Worth Sports Company.

Senate Joint Resolution No. 34--Congratulating Dr. Stanley Cohen.

Senate Joint Resolution No. 35--Memory, Mary and Harry Zimmerman.

Senate Joint Resolution No. 39--Relative to Miss Molly B. Brown, Miss Tennessee, USA.

Senate Joint Resolution No. 40--Commending Jackson Fire Department.

Senate Joint Resolution No. 41--Congratulating Manchester Homecoming '86 Steering Committee.

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Senate Joint Resolution No. 42--Honoring Jess Rogers and Universal Machining Company, Inc.

Senate Joint Resolution No. 43--Honoring McMinnville Screw Machine Company, Inc.

Senate Joint Resolution No. 44--Honoring Richard Y. Stamps.

Senate Joint Resolution No. 45--Honoring Cumberland Lumber and Manufacturing Company.

Senate Joint Resolution No. 47--Memory, Mrs. Maude Tucker Taylor.

Senate Joint Resolution No. 48--Honoring McMinnville Cheese Corporation.

Senate Joint Resolution No. 54--Congratulating Mr. and Mrs. William Hamilton Reid.

Senate Joint Resolution No. 55--Expressing sorrow, death of Mary Catherine Strobel.

Senate Joint Resolution No. 56--Congratulating Holston Middle School.

Senate Joint Resolution No. 58--Honoring Guilford "Gif" Fletcher Thornton, Jr.

Senate Joint Resolution No. 59--Congratulating Coach Don Grider and South Pittsburg H.S. football team.

Senate Joint Resolution No. 60--Congratulating Head Coach, Ken Colquette and Marion County H.S. football team.

Senate Joint Resolution No. 61--Honoring former Representative Steve Cobb.

Mr. Phillips moved that all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	91
Noes .....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared,

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Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--91.

A motion to reconsider was tabled.

### **INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 42--General Assembly T.V. coverage--By Wood.

The Speaker referred House Joint Resolution No. 42 to the Committee on State and Local Government.

House Joint Resolution No. 43--Joint committee AFDC--By Pruitt, Starnes, DeBerry, Love, Dixon, Bushing, Cain, Williams, Holcomb, Purcell, Chiles, Odom, Kernell, Montgomery, Long, Peroulas, Gaia, West, Drew and Jones, U. (Shelby).

The Speaker referred House Joint Resolution No. 43 to the Committee on General Welfare.

House Joint Resolution No. 44--Recognize Womens Club Day--By Cross, Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 44 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 45--Congratulating Anthony Grigsby--By Robinson (Hamilton).

Under the rules, House Joint Resolution No. 45 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 46--Oppose sale TVA--By Hillis, Miller, Rhinehart, Naifeh, Starnes, Jared, DePriest, Bragg, Winningham and Mr. Speaker Murray.

The Speaker referred House Joint Resolution No. 46 to the Committee on Conservation and Environment.

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**SENATE JOINT RESOLUTIONS**

**(Congratulatory and Memorializing)**

Senate Joint Resolution No. 67--Relative to honoring David Paul Burris.

Mr. Miller moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 67 out of order, which motion prevailed.

Senate Joint Resolution No. 67--Relative to honoring David Paul Burris.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Miller, the resolution was concurred in.

A motion to reconsider was tabled.

**INTRODUCTION OF BILLS**

House Bill No. 452--Inspection public utilities--By Davis (Gibson), Cain, Naifeh, Miller, Love, Chiles, Rhinehart, Copeland, Bragg, Ellis, Tanner, Stallings, Scruggs, Huskey, Hillis, West, Cross, Long, Swann, Gaia, Frensley, Stafford, Good, Nance, Starnes, Pruitt and Robinson (Davidson).

Passed first consideration.

House Bill No. 453--Licenses beer and wine--By Ridgeway, Hobbs, Ivy, Davis (Gibson), Coffey, Collier, West, Cross, Holt, Davis (Knox), Davis (Cocke), Bivens, Moore (Lawrence), Curlee, Huskey, Cain and Jackson.

Passed first consideration.

House Bill No. 454--Commercial musselers--By Ivy.

Passed first consideration.

House Bill No. 455--Admission to practice law--By Buck.

Passed first consideration.

House Bill No. 456--Expenses of certain judges--By Buck.

Passed first consideration.

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House Bill No. 457--Communication psychiatrists and patients--By Starnes.

Passed first consideration.

House Bill No. 458--Practice of psychiatry--By Starnes.

Passed first consideration.

House Bill No. 459--Travel expenses board of law examiners--By Buck.

Passed first consideration.

House Bill No. 460--Public Defender Pilot Project--By Cross, Moody, Purcell and Davidson.

Passed first consideration.

House Bill No. 461--Responsibility for food operations in school--By Hobbs, Cross, Crain, Curlee, Stallings, Phillips, Davidson, Naifeh, Ivy, Hillis, Bragg, Rhinehart, Napier and DePriest.

Passed first consideration.

House Bill No. 462--Business taxation personal property--By Crain.

Passed first consideration.

House Bill No. 463--Fire protection outside corporate limits--By Crain and Hobbs.

Passed first consideration.

House Bill No. 464--Safe Dams Act--By Crain.

Passed first consideration.

House Bill No. 465--Subsurface sewage disposal systems--By Crain and Hobbs.

Passed first consideration.

House Bill No. 466--Substance abuse education--By Wheeler.

Passed first consideration.

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House Bill No. 467--Inspection of certain boilers--By Crain.

Passed first consideration.

House Bill No. 468--Financial Planning Act--By West.

Passed first consideration.

House Bill No. 469--Airport Authorities--By West and Davidson.

Passed first consideration.

House Bill No. 470--Taxation certain vendors--By West.

Passed first consideration.

House Bill No. 471--Investment advisors--By West.

Passed first consideration.

House Bill No. 472--Tourist accommodation tax--By West.

Passed first consideration.

House Bill No. 473--Remedy discriminatory action--By Jones, R. (Shelby).

Passed first consideration.

House Bill No. 474--Incentive grants--By Hobbs, Peroulas and Bivens.

Passed first consideration.

House Bill No. 475--Credit line deeds of trust--By Hawkins.

Passed first consideration.

House Bill No. 476--Motor vehicle storage and towing liens--By Chiles.

Passed first consideration.

House Bill No. 477--Provide for issuance of multiple executions--By Purcell, Clark and Jackson.

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Passed first consideration.

House Bill No. 478--Duties of local board of education--By Winningham.

Passed first consideration.

House Bill No. 479--Impact fees new land development--By Frensey, Hobbs and Napier.

Passed first consideration.

House Bill No. 480--Exempt telephone service from sales tax--By Kernell.

Passed first consideration.

House Bill No. 481--Parking privileges handicapped persons--By Shirley and Yelton.

Passed first consideration.

House Bill No. 482--Use of pesticides--By Shirley and Napier.

Passed first consideration.

House Bill No. 483--Mental health procedures certain counties--By Shirley.

Passed first consideration.

House Bill No. 484--Mechanics' and materialsmen's liens--By Shirley.

Passed first consideration.

House Bill No. 485--Exempt property from Sales Tax--By Shirley.

Passed first consideration.

House Bill No. 486--Annexation municipalities own initiative--By Shirley.

Passed first consideration.

House Bill No. 487--Funding improving Highway 19-E--By Whitson.



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Passed first consideration.

House Bill No. 488--Kindergarten education--By Pruitt, Jones, R. (Shelby), Peroulas, Robinson (Hamilton), Turner, L. (Shelby), Wheeler, Love, West, Long, Wix, Bushing, Herron, Head, Jones, U. (Shelby), Purcell, Odom, King, Dixon, DeBerry, Robinson (Washington) and Duer.

Passed first consideration.

House Bill No. 489--Child pornography--By Tanner, Naifeh, Jackson and Holt.

Passed first consideration.

House Bill No. 490--Valuation agricultural, forest and open space land--By Tanner, Stallings, Hobbs, DePriest, Ivy, Stafford, Hawkins, Tankersley, Robinson (Washington), Lawson, Napier and Davis (Gibson).

Passed first consideration.

House Bill No. 491--Truth Sentencing Law--By Tanner, Naifeh and Stallings.

Passed first consideration.

House Bill No. 492--Unfair trade practices--By Miller.

Passed first consideration.

House Bill No. 493--Funding Municipal Technical Advisory Service--By Miller, Turner C. (Shelby), DeBerry, Kent, Cain, Moore (Shelby), Jones, U. (Shelby) and Turner L. (Shelby).

Passed first consideration.

House Bill No. 494--Physically handicapped persons--By Tanner, Naifeh and Stallings.

Passed first consideration.

House Bill No. 495--Licensed residential homes for the aged--By Holt.

Passed first consideration.

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House Bill No. 496--Trapping wild animals--By Holt.

Passed first consideration.

House Bill No. 497--Appointment public defenders--By Tanner.

Passed first consideration.

House Bill No. 498--Reelfoot Lake Regional Utility--By Tanner.

Passed first consideration.

House Bill No. 499--Mining laws--By Wheeler.

Passed first consideration.

House Bill No. 500--Public building authorities--By Wheeler.

Passed first consideration.

House Bill No. 501--Public building authorities--By Wheeler.

Passed first consideration.

House Bill No. 502--Charter and by-laws of banks--By Wheeler.

Passed first consideration.

House Bill No. 503--Compensation for sheriffs--By Wheeler.

Passed first consideration.

House Bill No. 504--Insurance policies--By Wheeler.

Passed first consideration.

House Bill No. 505--Powers of credit unions--By Wheeler, Starnes, Phillips, Wood, Webb, Robinson (Hamilton), King, Rhinehart, Hassell, Bivens and Ellis.

Passed first consideration.

House Bill No. 506--Class size reduction--By Starnes and Cross.

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Passed first consideration.

House Bill No. 507--Local government officials designee--By Starnes, Copeland, McAfee, Turner (Hamilton), Robinson (Hamilton) and Wood.

Passed first consideration.

House Bill No. 508--Shareholder rights--By Starnes and Robinson (Hamilton).

Passed first consideration.

House Bill No. 509--Alternate method selection county school board members--By Starnes.

Passed first consideration.

House Bill No. 510--Emergency Communications Districts--By Starnes.

Passed first consideration.

House Bill No. 511--School board budgets--By Starnes.

Passed first consideration.

House Bill No. 512--Retirement law definition--By Starnes.

Passed first consideration.

House Bill No. 513--Veterinary medical examiners--By Starnes.

Passed first consideration.

House Bill No. 514--Veterinarians--By Starnes.

Passed first consideration.

House Bill No. 515--Private educational loan--By Starnes.

Passed first consideration.

House Bill No. 516--Expands coverage by TCRS--By Starnes and McAfee.

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Passed first consideration.

House Bill No. 517--Energy production--By Starnes and McAfee.

Passed first consideration.

House Bill No. 518--Exempt certain officers carrying weapons--By Kent.

Passed first consideration.

House Bill No. 519--Definition of police officer--By Kent.

Passed first consideration.

House Bill No. 520--Employment security officers--By Kent.

Passed first consideration.

House Bill No. 521--Amend TCA, Title 47, Chapter 9--By Rhinehart.

Passed first consideration.

House Bill No. 522--Nursing Home Quality Care Incentive Act--By Starnes, Wheeler, Robinson (Washington), and Montgomery.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 423--Pharmacies and pharmacists.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 424--Model College Access Literacy Program.

Passed second consideration and referred to Committee on Education.

House Bill No. 425--Children and youth.

Passed second consideration and referred to Committee on General Welfare.

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House Bill No. 426--Create Institute of Traditional Culture, TSU.

Passed second consideration and referred to Committee on Education.

House Bill No. 427--Five million dollars, TSU.

Passed second consideration and referred to Committee on Education.

House Bill No. 428--Fire code, homes for the aged.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 429--Middle Tennessee Zoo.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 430--Dues deduction, fire departments.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 431--Airport noise abatement programs.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 432--Consumption of alcoholic beverages on premises.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 433--Injuries, railroad employees.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 434--Issuance of marriage license.

Passed second consideration and referred to Committee on General Welfare.

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House Bill No. 435--Create tax planning division.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 436--Liability for injuring of a dog.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 437--Insurance Guaranty Association Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 438--Felony, aiding suicide.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 439--Creditable service retirement system.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 440--Annexation municipality.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 441--Annexation municipality.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 442--Pass and Play Act.

Passed second consideration and referred to Committee on Education.

House Bill No. 443--Criminal Victim's Rights Act.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 444--Health facilities.

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Passed second consideration and referred to Committee on General Welfare.

House Bill No. 445--Purchasing in Sequatchie County.

Passed second consideration and held without reference.

House Bill No. 446--Sign, Tennessee Walking Horse Association Headquarters.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 447--Joint custody minor children.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 448--Burials.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 449--Home School testing.

Passed second consideration and referred to Committee on Education.

House Bill No. 450--Longevity for state employees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 451--Telephone or telegraph fraud.

Passed second consideration and referred to Committee on Commerce.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

71--Relative to memory, Edward "Prince Gabe" Kirby;

72--Relative to memory, Dr. A. E. Campbell; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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Ms. DeBerry moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 71 out of order, which motion prevailed.

Senate Joint Resolution No. 71--Relative to memory, Edward "Prince Gabe" Kirby.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was concurred in.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 72 out of order, which motion prevailed.

Senate Joint Resolution No. 72--Relative to memory, Dr. A. E. Campbell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was concurred in.

A motion to reconsider was tabled.

## SECOND ROLL CALL

The roll call was taken with the following results:

Present ..... 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.



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**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1--Miller, Peroulas, Drew

House Bill No. 94--Wix

House Bill No. 95--Wix

House Bill No. 274--Long

House Bill No. 275--Long

Senate Joint Resolution No. 47--Ellis and Robinson (Davidson)

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 129, 155, 332 and 333.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, February 16, 1987: House Joint Resolutions Nos. 44 and 45; House Bills Nos. 129, 155, 332 and 333.

PHILLIPS, Chairman.

On motion of Mr. Naifeh the House adjourned until 5:00 p.m., Monday, February 16, 1987.